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Written statement* submitted by the Federation of Western Thrace Turks in Europe, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[30 May 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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The Limits on the Freedom of the Turkish Minority of Western Thrace to Self-Identify and Freedom of Association

Under the 1923 Lausanne Peace Treaty, Turkish minority in Western Thrace has an equal right with the non-Muslim minority in Turkey to establish, manage and control at their own expense, any charitable, religious and social institution, any school and other establishment for instruction and education, with the right to use their own language and to exercise their own religion freely therein.

Greece does not subscribe to the right of any group to self-identification on a collective basis. Greece only recognizes a "Muslim minority in Thrace"[1] and denies the existence of an ethnic Turkish minority in Western Thrace. Although some other groups are recognized and even welcomed and supported by Greek authorities, there are currently no associations in Greece operating legally with their names including the word "Turkish", which reflect the ethnic or national identity of their members. The Greek government declared in 1983 that there were no Turks in Greece and claimed that the members of Muslim minority are Greek Muslims. Xanthi Turkish Union, Komotini Turkish Youth Union and Western Thrace Turkish Teachers' Union were dissolved in 1986 by local courts and the Supreme Court decided the dissolution of the associations on the ground that the word "Turkish" referred to citizens of Turkey and could not be used to describe citizens of Greece.

The ethnic identity of the Turkish Minority of Western Thrace is not still recognized by the Greek Government. The U.S. Human Rights Freedom Report on Greece for 2015 notes that there are limits on the freedom of certain ethnic-minority groups to self-identify and discrimination against and social exclusion of the officially recognized "Muslim minority in Thrace". The report noted that although the government recognized an individual's right to self-identification, many individuals who defined themselves as members of a minority group found it difficult to express their identity freely and to maintain their culture. The report mentioned that use of the terms Tourkos and Tourkikos (Turk and Turkish) is prohibited in the titles of organizations, although individuals may legally call themselves Tourkos.[2] The report mentioned further that although the constitution and law provide for freedom of association, the government continued to place legal restrictions on the names of associations that included the term "Turkish".

During his visit to Komotini on the occasion of Independence of Komotini on 14 May 2016, Greek President Karolos Papoulias mentioned in his speech at Komotini Chamber of Commerce and Industry on the same day that the Minority, of which rights are guaranteed by the Lausanne Treaty has a religious status, it is a Muslim minority, while minorities in Turkey are ethnic, which proves that there is a Greek minority there. The President continued that "Every person has a right to self-identify, but the situation is different in Western Thrace. Since it is a "religious minority" according to the Treaty of Lausanne, they cannot legally express themselves with another identity different from the one mentioned in the Treaty".[3]

On 25 May 2016, Greek Minister of Foreign Affairs Nikos Kotzias stated in his speech during presentation of a book titled "Thrace: The Next Step" by former minister and former deputy Evripidis Stilyanidis that Greece respects the rights of all special groups, it will not allow the Minority to be an instrument for motherlands and an instrument of foreign policy.[4]

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[1] The legal status of the Muslim minority is based on the Treaty of Lausanne of 1923 signed between Turkey and Greece. The obligations assumed by Greece under Section III of this Treaty which deal with the protection of minorities, include the following basic rights and liberties with a right to establish, manage and control at their own expense, any charitable, religious and social institutions, any schools and other establishments for instruction and education, with the right to use their own language and to exercise their own religion freely therein.

[2] http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper

[3] http://www.milletgazetesi.gr/view.php?id=4729

[4] http://www.gundemgazetesi.com/trakyahaber/detay/1745

The statements by Greek President and Minister of Foreign Affairs have gained strong reaction among members of the Minority. The recent closure of the two branches of a prominent minority association which is legally recognized and operated since 1982 has raised concerns about the government's policy towards the Turkish minority. Most of the minority members have perceived the closure of the two branch offices as part of a strategy of deterrence and fear by Greek authorities against the minority association and a heavy blow to the freedom of association.

The Western Thrace Minority University Graduates Association (WTMUGA) is a minority association established and legally registered in 1982 with more than 1200 members from different professions and it has branch offices in the region of Western Thrace and youth offices in Athens, Thessaloniki and Larissa established by the minority undergraduates students through its youth organization in accordance with the relevant legislation and its statutes.

With a vision to preserve culture and traditions of the Minority and contribute to cultural, social and intellectual progress of the Minority, its mission includes organizing cultural and academic events generally in education and culture fields and preparing reports, statements and submitting proposals to the relevant authorities on the problems of its members.

With its vision to promote and develop the ideals of friendship, humanitarian values and human rights, democracy and freedom between the nation, in particular between Turkish and Greek nations, the association continues its activities with no legal restrict since 1982, while minority associations which bear the title of "Turkish" in their names were dissolved in 1986 and no new registration is authorized for minority association with the word "Turkish" in their names, even with the word "minority" in some cases.

On 12 April 2016, Social Assistance Unit of the Municipality of Komotini sent a letter to the association and requested information about the activities in its branch offices A and B in the city of Komotini based on the prior letters by the Rhodope Office of the Public Prosecutor and the Macedonia-Thrace Local Government Unit. On 21 April 2016, the two branch offices in Komotini were raided by the police and the public prosecutor, and the Social Assistance Unit visited the branch offices and told that they should have been closed. On the same day members of the Executive Board received summons to appear in the Magistrates' Court exhibiting a charge of operating unlicensed nursery on 13 May 2016. The trial was postponed to 18 November 2016.

On 10 May 2016, two police officers from Komotini Police Department visited the branches in Komotini and recorded names of the members present there. Following two police raids on 21 April and 10 May, the two branches were closed down by the decision of the Mayor of Komotini on 23 May 2016. The association will appeal to the administrative courts for the cancellation of the decisions by the Mayor of Komotini.

The minority association has published that it does not operate any kindergartens or nurseries in its branch offices and the branch offices carries out social and cultural activities and work for the children along with other activities in accordance with its statutes. The association noted only activities for the minority children in branch offices were taken into consideration and claimed that the branch offices were unlicensed nurseries, while all other activities in branches were totally ignored. The association underlined that there is no nursery or kindergarten under its roof, but there are branches in different places with many activities for minority people.[5]

We urge the Greek Government:

- To recognize the right of Turkish minority to self-identification on a collective basis and recognize the ethnic Turkish identity of the minority in Western Thrace,

- To respect its obligations under the Treaty of Lausanne and act in full compliance with the provisions of the Treaty and the core international human rights treaties of which Greece is a party.

[5] http://www.btaytd.com/v2/view.php?lng=tr&id=158

- To end discrimination against the Minority and improve diversity throughout the system by eliminating prejudges and develop strategies that are inclusive of minorities which would be part of an overall governmental policy for the promotion and protection of minority rights in the country.